



(1) whether the noncomplying party acted in bad faith; (2) the amount of prejudice [the party's] noncompliance caused [the party's] adversary, which necessarily includes an inquiry into the materiality of the evidence [the party] failed to produce; (3) the need for deterrence of the particular sort of noncompliance; and (4) the effectiveness of less drastic sanctions.

Mut. Fed. Sav. & Loan Ass'n v. Richards & Assocs., Inc., 872 F.2d 88, 92 (4th Cir. 1989).

All four Mutual Federal factors counsel strongly in favor of dismissal in this case. Plaintiff has repeatedly flouted the orders of this court, ignored the Federal Rules of Civil Procedure and her discovery obligations, and failed to respond to communications from defense counsel. Moreover, plaintiff's counsel withdrew after plaintiff failed to return his phone calls and participate in the case [D.E. 17, 18]. Accordingly, it appears to the court that plaintiff has abandoned this action.

Filing a lawsuit is serious business and this court expects plaintiffs to approach lawsuits with due respect for that seriousness. Plaintiff has wasted this court's time and GCA's resources with her bad faith non-compliance with the Federal Rules of Civil Procedure and orders of this court. Such conduct must be deterred. Given plaintiff's repeated non-compliance and her bad faith, the court finds that no sanction short of dismissal would be effective.

Accordingly, in light of plaintiff's failure to comply with this court's order of April 15, 2010, and the manner in which she has proceeded in this case, the action is DISMISSED WITH PREJUDICE.

SO ORDERED. This 19 day of May 2010.

  
JAMES C. DEVER III  
United States District Judge